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U.S.PTO

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Customer No. 27667

Docket No.: MER 03.01  
 Date: April 21, 2004

22278 U.S.PTO  
101828641

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**MAIL STOP PATENT APPLICATION**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor: WITHERS et al.  
 For: THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL PRODUCTION

Enclosed are the following:

- [X] Letter: SUBMISSION OF INCOMPLETE APPLICATION
- [X] Specification 27 pages; Claims 11 pages; Abstract 1 page
- [ ] Declaration and Power of Attorney
- [X] Sheet(s) of drawings 4 pages
- [ ] An assignment of the invention to: \_\_\_\_\_
- [ ] A certified copy of \_\_\_\_\_ application No. \_\_\_\_\_, filed \_\_\_\_\_
- [ ] Information Disclosure Statement
- [ ] Preliminary Amendment
- Non-Publication Request
- [ ] Applicant claims small entity status. See 37 CFR 1.27.

Priority is hereby claimed under 35 USC 119 by way of \_\_\_\_\_ patent application  
 No. \_\_\_\_\_ filed \_\_\_\_\_.

Benefit is hereby claimed under Title 35, United States Code 119(e) of United States provisional  
 application No. 60/496,981 filed August 20, 2003.

The filing fee has been calculated as shown below:

		SMALL ENTITY	LARGE ENTITY
BASIC FEE:		\$385.00	\$ 770.00
TOTAL CLAIMS:	109 - 20 =	89 x 9 = \$801.00	x 18 =
INDEPENDENT CLAIMS:	15 - 3 = 12	12 x 42 = \$504.00	x 86 =
MULT. DEPEND. CLAIMS:		+ 140=	+ 280=
TOTAL:		\$ 1,690.00	\$ 770.00

[X] Form PTO-2038 authorizing credit card payment in the amount of \$ 1,690.00 to cover the fees is enclosed.

[ ] (\$40.00 Assignment recordal fee is included)

The Commissioner is hereby authorized to charge any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account No. 08-1391.

Norman P. Soloway  
 Attorney of Record  
 Reg. No. 24,315  
**Customer No. 27667**

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No. ER771388980US Date of Deposit: April 21, 2004

I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of person mailing: SL SB  
 Name of person mailing: Shauna Bronson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF            WITHERS et al.

FILED:            April 21, 2004

FOR:            THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL...

DOCKET:            MER 03.01

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF INCOMPLETE APPLICATION**

Dear Sir:

Submitted herewith is a transmittal letter and accompanying patent application documents which are incomplete due to the omission of a Declaration and Power of Attorney. The Applicants are **James C. Withers** of c/o Materials & Electrochemical Research Corp., 7960 South Kolb Road, Tucson, Arizona 85706, who is a United States citizen; and **Raouf O. Loutfy** of c/o Materials & Electrochemical Research Corp., 7960 South Kolb Road, Tucson, Arizona 85706, who is a United States citizen. Other details will be found on the transmittal letter.

Respectfully submitted,

  
Norman P. Soloway  
Attorney for Applicants  
Reg. No. 24,315

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**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" Mailing Label No: ER771388980US  
Date of Deposit: April 21, 2004

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Signature of person mailing S.S.B.  
Name of person mailing Shauna Bronson

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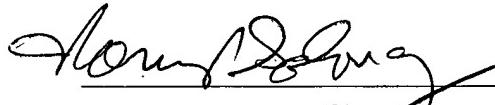
**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	WITHERS ET AL.
Title	THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL PRODUCTION
Atty Docket Number	MER 03.01

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

APRIL 21, 2004

Date



Signature

520-882-7623

Telephone number

NORMAN P. SOLOWAY

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.